IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRD DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 11462 of 2003

Between:

Kandurkuri Amruthamma W/o. Late Shankaraiah
R/o H.No.9-1-125, Girimajipet, Warangal.

..... PETITIONER

AND

1 State Bank of Hyderabad rep by its Branch Manager
Warangal Branch, J.P.N. Road, Warangal.
2 Debts Recovery Officer
Debts Recovery Tribunal, Triveni Complex, 5th Floor,
Abids, Hyderabad - 500 001.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue and appropriate Writ, Order or Direction, more particurlarly one in the nature of Writ of Mandamus, to declare the impugned notice dt. 6-5-2003 issued by the 1st respondent U/Sec 13(2) of the of securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 as illegal, arbitrary, violative of principles of natural justice and consequently set the aside the impugned notice dt. 6-5-2003 and to grant such other reliefs.

Counsel for the Petitioner:MR.CHINDAM.PRATAP

Counsel for the Respondent No.1: MR.K.V.SIMHADRI

Counsel for the Respondent No.2: None

The Court made the following Oral Order: (Per Sri Devinder Gupta, CJ)

Petitioner, in this writ petition, is questioning the legality and validity of the show cause notice dated 6.5.2003, issued by the 1st respondent under the Securitisation and Reconstruction of Financial and Enforcement of Security Interest Act, 2002. In fact, it is for the petitioner to file his reply to the said show cause notice and in case any order adverse to him is passed, he can avail of his statutory remedy of preferring appeal under the provisions of the Act.

With leave and liberty granted to the petitioner to avail the said remedy, the writ petition is dismissed. No costs.

DEVINDER GUPTA,CJ

DATE: 3rd August, 2004

C.V. RAMULU,J

pnb

To

1 The Branch Manager, State Bank of Hyderabad,
Warangal Branch, J.P.N. Road, Warangal.

2 The Debts Recovery Officer
Debts Recovery Tribunal, Triveni Complex, 5th Floor,
Abids, Hyderabad - 500 001.

3. Two C.D.copies